

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

LIMARY MARTINEZ DAVILA

DEBTOR

\*

\*

\*

\*

\*

CASE NO. 16-04078 BKT

CHAPTER 13

**DEBTOR'S MOTION REQUESTING ORDER FOR AUTHORIZATION TO BEGIN  
EVALUATION OF LOSS MITIGATION/LOAN MODIFICATION  
WITH MORTGAGE CREDITOR**

TO THE HONORABLE COURT:

NOW COMES, **LIMARY MARTINEZ DAVILA**, the Debtor, through the undersigned attorney, and very respectfully states and prays as follows:

1. The Debtor is the owner of a residential real property encumbered by a mortgage and mortgage note owed to secured creditor Banco Popular de Puerto Rico ("BPPR"), which creditor filed secured claim no. 2-3, in the above captioned case.

2. The Debtor spoke directly with BPPR to begin evaluation for a loss mitigation or loan modification of the aforestated mortgage loan with BPPR. Said creditor requested the Debtor to obtain an Order from this Honorable Court prior to beginning the evaluation process for loss mitigation/loan modification of Debtor's mortgage loan.

3. Therefore, the Debtor respectfully requests an Order from this Honorable Court authorizing Debtor to meet with BPPR to begin the evaluation for loss mitigation/mortgage loan modification, in the above captioned case.

**WHEREFORE**, the Debtor respectfully requests this Honorable Court grant the present motion and enter an Order approving authorization for the Debtor to initiate a loss Mitigation/loan modification evaluation with secured creditor BPPR, in the above captioned case.



Page – 2-  
Motion Requesting Authorization  
for Loss Mitigation Evaluation  
Case no. 16-04078 BKT13

**NOTICE:** Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006 (f) if you were served by mail, any party against whom this paper has been served, or any other party to the action that objects to the relief sought herein shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

I **CERTIFY** that on this same date a copy of this motion was filed with the Clerk of the Court using the CM/ECF filing system which will send notice of same to the Chapter 13 Trustee Jose R. Carrion Morales, Esq., and all CM/ECF system participants including Jose A. Moreda Del Valle, Esq. Counsel for BPPR; I also certify that a copy of this motion was sent via US Mail to the Debtor; and to creditors and parties in interest (CM/ECF non-participants) appearing in the master address list, hereby attached.

**RESPECTFULLY SUBMITTED.** In San Juan, Puerto Rico, this 30th day of July, 2018.

/s/Roberto Figueroa Carrasquillo

USDC #203624

**RFIGUEROA CARRASQUILLO LAW OFFICE PSC**

ATTORNEY FOR the DEBTOR

PO BOX 186 CAGUAS PR 00726

TEL NO 787-744-7699 FAX 787-746-5294

Email: [rfigueroa@rfclawpr.com](mailto:rfigueroa@rfclawpr.com)



Label Matrix for local noticing  
0104-3  
Case 16-04078-BKT13  
District of Puerto Rico  
Old San Juan  
Mon Jul 30 13:51:17 AST 2018

US Bankruptcy Court District of P.R.  
Jose V Toledo Fed Bldg & US Courthouse  
300 Recinto Sur Street, Room 109  
San Juan, PR 00901-1964

(p)BMW FINANCIAL SERVICES  
CUSTOMER SERVICE CENTER  
PO BOX 3608  
DUBLIN OH 43016-0306

DEPARTMENT OF TREASURY  
BANKRUPTCY SECTION 424 B  
PO BOX 9024140  
SAN JUAN, PR 00902-4140

Synco/Walmart  
PO Box 530927  
Atlanta, GA 30353-0927

LIMARY MARTINEZ DAVILA  
HC 05 BOX 57789  
CAGUAS, PR 00725-9256

BANCO POPULAR DE PUERTO RICO  
MORTGAGE SERVICING DEPARTMENT (762)  
PO BOX 362708  
SAN JUAN, PR 00936-2708

AEE  
PO Box 363508  
San Juan, PR 00936-3508

Banco Popular de Puerto Rico  
PO Box 362708  
San Juan, PR 00936-2708

Liberty Cablevision of Puerto Rico  
PO Box 719  
Luquillo, PR 00773-0719

(p)T MOBILE  
C O AMERICAN INFOSOURCE LP  
4515 N SANTA FE AVE  
OKLAHOMA CITY OK 73118-7901

MONSITA LECAROS ARRIBAS  
OFFICE OF THE US TRUSTEE (UST)  
OCHOA BUILDING  
500 TANCA STREET SUITE 301  
SAN JUAN, PR 00901

BMW FINANCIAL SERVICES, N.A LLC DEPARTMENT  
ASCENSION CAPITAL GROUP  
PO BOX 201347  
ARLINGTON, TX 76006-1347

BMW FINANCIAL SERVICES NA, LLC DEPARTMENT  
ASCENSION CAPITAL GROUP  
PO BOX 201347  
ARLINGTON TX 76006-1347

Claro  
PO Box 360998  
San Juan, PR 00936-0998

MIDLAND FUNDING LLC  
PO BOX 2011  
WARREN, MI 48090-2011

JOSE RAMON CARRION MORALES  
PO BOX 9023884  
SAN JUAN, PR 00902-3884

ROBERTO FIGUEROA CARRASQUILLO  
PO BOX 186  
CAGUAS, PR 00726-0186

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

BMW Financial Services NA, LLC  
P.O. Box 3608  
Dublin, OH 43016

(d)Bmw Financial Services  
PO Box 3608  
Dublin, OH 43016-0306

T-Mobile  
12920 SE 38th St  
Bellevue, WA 98006-1350

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)BANCO POPULAR DE PUERTO RICO  
MORTGAGE SERVICING DEPARTMENT (762)  
PO BOX 362708  
SAN JUAN PR 00936-2708

End of Label Matrix  
Mailable recipients 17  
Bypassed recipients 1  
Total 18